

- 1 T. "Qualified dental plan" means a limited scope dental plan that has been certified in
2 accordance with section 7E of this Act.
- 3 U. "Qualified employer" means an employer that:
- 4 (1) Elects to make its full-time employees eligible for one or more qualified health plans
5 offered through the SHOP Exchange, and at the option of the employer, some or all
6 of its part-time employees;
- 7 (2) Has its principal place of business in this State;
- 8 (3) Elects to provide coverage through the SHOP Exchange to all of its eligible
9 employees, wherever employed; and
- 10 (4) Employs no more than the maximum number of employees allowable, as determined
11 by the Board and consistent with the provisions of this Act and the Federal Act.
- 12 V. "Qualified health plan" means a health benefit plan that has in effect a certification that
13 the plan meets the criteria for certification described in section 1311(c) of the Federal Act
14 and section 7 of this Act and any additional requirements adopted by the Board pursuant
15 to this Act.
- 16 W. "Qualified individual" means an individual, including a minor, who:
- 17 (1) Is seeking to enroll in a qualified health plan offered to individuals through the
18 Exchange;
- 19 (2) Is legally domiciled in the State on the date of enrollment for coverage;
- 20 (3) At the time of enrollment, is not incarcerated, other than incarceration pending the
21 disposition of charges; and
- 22 (4) Is, and is reasonably expected to be, for the entire period for which enrollment is
23 sought, a citizen or national of the United States or an alien lawfully present in the
24 United States.
- 25 X. "Secretary" means the Secretary of the federal Department of Health and Human
26 Services.
- 27 Y. "SHOP Exchange" means the Small Business Health Options Program established under
28 section 6 of this Act.
- 29 Z. "Small employer" has the meaning given to the term in G.S. 58-50-110(22), subject to
30 the requirements of the Federal Act. *[Note: the workgroup is waiting for input from*
31 *actuaries to help determine whether to open the SHOP Exchange to groups of 51-100.]*
- 32 AA. "Small group market" has the meaning given to the term in G.S. 58-68-25(a)(17).
- 33

34 **Section 4. Establishment of Exchange; Board of Directors; Plan of Operation**

35

- 36 A. (1) The North Carolina Health Benefit Exchange (Exchange) is hereby established as a
37 nonprofit entity which shall operate under the supervision and control of the Board of
38 Directors of the Exchange (Board). Notwithstanding that the Exchange may be
39 supported in whole or in part from federal or State funds, the Exchange is not an
40 instrumentality of the State.
- 41

42 **BOARD COMPOSITION SECTION** 43 **RESERVED FOR DECISION BY NC GENERAL ASSEMBLY**

44

45 ****END OF BOARD COMPOSITION SECTION, MODEL ACT CONTINUES**
46 **HERE****